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NOTES

ON

Horticultural Nomenclature

Some Suggestions for the Nurseryman, Fruit Grower, Gardener, Seed
Grower, Plant Breeder and Student of Horticulture

By

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NOTE.

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F. A. W.

University of Vermont,
Sept. 1, 1898.

NOTES ON HORTICULTURAL NOMENCLATURE.

I

GENERAL PROBLEMS.

The first requisite to the study of any science or art is a satisfactory nomenclature.* This is a widely recognized principle. The students of such sciences as physics, astronomy and botany have spent a great deal of time and effort in selecting and defining most minutely the terms necessary to their descriptions and discussions. And whether it be cause or effect, the present undeniable crudity of horticultural nomenclature is evidence that pomology, vegetable culture and floriculture still fall measurably short of being sciences. Science is said to be classified knowledge; but before we can classify our knowledge of horticultural varieties, we must have those varieties unequivocally named and accurately described. We are fond of saying that horticulture is coming to be a science; but it certainly falls far short, in this respect, of what it ought to be.

A reasonable nomenclature assigns to each entity, be it object, process, species or variety, a separate and distinctive name. In horticulture, our attention is fixed chiefly on varieties, and varieties are hard to define; but each one, as we know and describe it, ought to have one name and one only. In other words, one variety must not pass under several names; nor must one name stand for two or more distinct varieties. It would be easy to mention examples of both mistakes. The well-known apple, Ortley, for instance, has nearly two dozen synonymous names, such as White Bellflower, Ohio Favorite, Detroit, Greasy Pippin, Inman, Yellow Pippin, Jersey Greening, Warren Pippin, etc. Those older varieties of pears introduced from

*By the way, this word is pronounced *no-men-cla-ture*, not *no-men-cla-ture*, as one often hears it.

France are especially rich in synonyms. There is the common Easter Beurré, which has over a dozen, such as Doyenne d'Hiver, Beurré de Paques, Pater Noster, Beurré de la Pentecôte, Bergamotte de la Pentecôte, etc. Sometimes these synonymous names become so widely distributed and so well known as to supplant the proper names. We may cite among apples Jewett Red, which is generally known throughout New England as Nodhead. One of the most striking cases is that of the Abundance plum, which was first called Botan. The latter name, though entirely correct, has been superseded by the former. The variety is, however, still known as Botan in many sections. But other varieties also pass under the name of Botan, and this illustrates the second class of difficulties which arise in nomenclature. There are also two distinct varieties passing under the name Satsuma—perhaps more. The name Greasy Pippin is applied to the Ortley apple, and to Grimes' Golden, and sometimes to other varieties.

It is evident that no headway can be made in horticultural discussions in books, journals, bulletins, or in horticultural societies, unless the same name always refers to the same variety and unless the same variety is always referred to by the same name. In order to secure this end, some one authority must be followed, or some adequate rules of nomenclature must be agreed upon. The time was, not so many years ago, when the former plan worked fairly well in this country. The two Downings during their lifetime stood high enough above the general run of pomologists and were so widely recognized as the authorities on varieties of fruits, that their word could be the law. In conjunction with the work of the Downings, the American Pomological Society also exercised a considerable authority in the matter of nomenclature.

But times have changed rapidly since then. There is such a wide territory to be covered, and there have been so many thousands of varieties introduced, that no man or set of men can pretend to an authoritative knowledge of the whole field. Even the American Pomological Society cannot cover the ground, and could not even if it were

as active as it was in earlier days. And for similar reasons our Division of Pomology in the United States Department of Agriculture cannot exercise an arbitrary final authority. Thus our only reliance now must be placed in such a thorough, yet simple, system of naming as shall make it easy to determine by rule what the correct name of a variety is.

In this respect, the horticulturists have much to learn from the botanists. The latter name the species of plants which they study according to rules upon which they are fairly well agreed, and though there are some inconsistencies, occasionally ridiculous ones, still on the whole the science of botany is immeasurably in advance of horticulture in this respect. We have, indeed, a code of rules for naming fruits, and another for naming vegetables ; and though these rules are not above criticism, they are much in advance of the general practice in nomenclature. It is safe to say that not one fruit-grower in a hundred has ever seen these rules. It is also perfectly obvious that the rules are openly and flagrantly disregarded by a great many nurserymen, seedsmen and writers on horticultural topics. A separate chapter will be devoted to a presentation and discussion of these rules.

II

POMOLOGICAL RULES.

In the foregoing chapter I tried to point out the pressing need of an agreed system of nomenclature for fruits and vegetables. I also alluded there to the rules now in vogue, and ventured the guess that not many persons knew of their existence. I am sure that many otherwise well-informed horticulturists do not know what these rules are ; and we all see too plainly that many of us who ought to be most careful to maintain them are very careless in observing them. It may not be considered wholly gratuitous, therefore, if I transcribe here the rules adopted by the American Pomological Society to govern the nomenclature of fruits. These are practically all the rules we have ; they are fairly complete and satisfactory ; and, at any rate, matters would be greatly improved if they could be generally enforced :

1. The originator or introducer (in the order named) has the prior right to bestow a name upon a new or unnamed fruit.
2. The society reserves the right, in case of long, inappropriate, or otherwise objectionable names, to shorten, modify, or wholly change the same when they shall occur in its discussions or reports, and also to recommend such names for general adoption.
3. The name of a fruit should preferably express, as far as practicable by a single word, the characteristics of the variety, the name of the originator, or the place of its origin. Under no ordinary circumstances should more than a single word be employed.
4. Should the question of priority arise between different names for the same variety of fruit, other circumstances being equal, the name first publicly bestowed will be given preference.

These rules possess the soul of wit, and are therefore fairly clear. Still their various applications need to be carefully considered, and some discussion of them may prove profitable.

With respect to Rule 1, it may be said that this matter has usually adjusted itself. If the originator does not introduce his own variety, he commonly disposes of his right to name it when he turns his new apple or strawberry over to another man to introduce. The privilege of naming a new variety—or at least the division of that privilege between the originator and the introducer—is commonly considered a property right, and is bought and sold like any other property, without reference to rules of nomenclature. What ought to be chiefly noted in the application of this rule is that both originator and introducer may lose their right to the bestowal of a name, if that right is not promptly and properly occupied. If a variety should be distributed without a name, such a one might be named by any pomologist who should have occasion to publish or advertise the variety; and a name so given would hold against any subsequent action of originator or introducer, if it conformed to the other rules of nomenclature. Or if the originator or introducer should give a name contrary to any of the other rules, such an incorrect name could be revised or changed either by the American Pomological Society, as provided in Rule 2, or by any author making formal publication with reference to the variety in question.

Rule 2 appears to be rather indefinite, but it is a wise one, and one for which a large and unfortunate necessity exists. Those who have had any experience in working over fruit lists, either for nursery catalogues, bulletin publication, or for any other purpose, have been deeply impressed with the long, awkward, bungling, inapt, meaningless names which in some way have to be managed. It is quite customary for nurserymen, in their catalogues, to revise such names to suit themselves, and as different nurserymen hit upon different adaptations, this introduces a good deal of confusion. The right to make such revisions cannot be questioned; but for the sake of uniformity, we must endeavor to follow some authority or some agreed system in the changes which we make.

Rule 3 is suggestive rather than mandatory. It, too, is a very wholesome rule, but finds honor in the breach perhaps oftener than in the observance. We are, however, improving visibly in this matter, and it may not be too much to expect that the future will show a still more rapid advancement. It may be proper here to call attention to an interpretation of this rule which has frequent application in the names of fruits. Such names as Scott's Winter, Crawford's Early, Peck's Pleasant, etc., are now usually revised to read Scott Winter, Crawford Early, Peck Pleasant. Such names as Murphy's Surprise, Beaty's Choice and Holt's Seedling need still further revision. The first one might be called Murphy or Surprise, or an entirely new name might reasonably be given. The second should be changed to Beaty or be renamed, and the last one become simply Holt. The publications of the American Pomological Society and of the Department of Agriculture have set a good example in this direction which it is not difficult to follow.

Rule 4 is introduced in a sort of hesitating tone, as though a conflict of names on the ground of priority were a very unusual or delicate matter, yet this is likely to be the rule of most importance in the whole code, and it is one which will certainly be appealed to with greater frequency and fuller confidence as we go forward in a more scientific pursuit of pomological knowledge. We know that an old variety which has not two or three names is an exception, but in deciding among a number of names for a given fruit, choice will rest oftener upon priority than upon any other ground. In fact priority is almost an absolute test in such cases. Any other consideration must be of the most obvious sort to justify the substitution of one name for another; but the first correct name correctly given to a variety must stand.

The rule of priority as here set forth, however, covers only half the ground. It applies to any case in which one variety has two names. But it is not at all uncommon to find one name doing duty for two varieties. It is evident that in such cases the name belongs

to that variety upon which it was first publicly bestowed, and the second variety must find another name. This is one of those good rules which work both ways.

As this rule is of the utmost importance, and as it is likely to be appealed to much oftener in the future, we must agree as to what constitutes priority. The rules here under consideration say that "the name first publicly bestowed will be given preference." It is apparently intended that the use of a name in the publications of the American Pomological Society, or its formal recognition in the public meetings of the society, shall constitute a "public bestowal." There can be no objection whatever to the first clause of this statement; but it will scarcely be fair in the future to date the bestowal of a name from the time of its use in the society's meetings unless the name be at the same time published in the society's reports. In other words, priority of name must rest hereafter on priority of publication. This is the rule now universally followed by the botanists, zoölogists and other scientists. Their practice in this regard is in most ways a valuable model for pomologists.

It seems to me that the principal difficulty in the application of this rule to pomology will be in reaching an understanding of what shall constitute a "publication." The American Pomological Society's rules are extremely modest. They are made for the guidance of the society, and there is no attempt to force them on any one else. The horticultural public, however, must accept the publications of the American Pomological Society, and the names used in their reports may certainly be considered as published. But the American Pomological Society has no monopoly of publication, nor can the society refuse to accept names properly published from other sources. A new variety may be exhibited at a meeting of a state horticultural society, a name may be given, and the name published with the description in the state society's reports. Such a publication would have to be accepted, and the name would date from the publication of the report which contained it. There is every reason, too, why the

bulletins from the experiment stations should be sufficiently authoritative to fix the priority of names properly published in them. Unfortunately such bulletins have been very exceptional up to the present time, but we may fairly expect some improvement in the future. One shortcoming with station bulletins, considered from the standpoint of authoritative nomenclature, is that they seldom publish full descriptions, and still less frequently do they publish original descriptions. This is largely unavoidable, since the nurseryman who introduces a variety almost invariably gives the original description with his announcement and advertisement. But there is evidently an opportunity for experiment station horticulturists, by studying carefully the descriptions and the nomenclature of the varieties which they discuss in their bulletins, to make such publications the means of establishing correct names of fruits. We can all remember how certain names have become established through Prof. Bailey's bulletins on Japanese plums, and through Prof. Watts' apple bulletins.

I have just referred to the fact that original descriptions usually appear in the nurseryman's catalogue, and with such descriptions the original announcement of names. Just here comes in the greatest practical difficulty. Shall such descriptions of new varieties be considered to be "publications" in the technical sense, and to fix the priority of names? It is evident that they ought so to be considered. It would simplify questions of priority in names, and would make reference to original descriptions easier. The only difficulty in the way is the looseness and carelessness which often characterize such publications. Many nurserymen get out elaborate catalogues, with the dates carefully given, with new varieties most painstakingly described, and with names carefully selected. Other nurserymen announce a new variety with a very bombastic and ridiculous name by sending out an utterly unreliable description printed on a loose sheet of paper and slipped in between the leaves of an old catalogue published several years previously. It is obvious that the latter announce-

ment does not bring a variety properly before the horticultural world, and that it can not constitute a "publication." The difficulty arises in drawing the line. Such a line cannot be prescribed here in terms which will prove universally satisfactory; but it will be safe to say that any variety name may be considered published when it is given in connection with a true description in a catalogue which bears the date of its publication, and which is generally distributed among nurserymen, fruit growers and horticulturists. At all events we must as fast as possible, reach an agreement as to what shall constitute a "publication," and we must take all possible pains to use those names which are correct according to precedent and authority. And especially ought nurserymen to recognize the great responsibility which they are under in the original publication of names and descriptions; and they ought to take such pains in editing, publishing and distributing their catalogues as to make it possible to rest the names of varieties upon their publications. This need not add appreciably to the nurseryman's expense of issuing a catalogue, and the improvement would be to his own direct advantage.

III

THE NAMES OF GARDEN VEGETABLES.

In the last chapter I gave a transcript of the rules adopted by the American Pomological Society for the naming of fruits, and added some discussion of their application and present bearings. Among kitchen-garden vegetables we have still greater confusion of names than among orchard fruits, and there are more bombastic and unpleasant names given. Still the varieties of vegetables change so often that irregularities of nomenclature seem to be less dangerous and troublesome; and at the same time it becomes much harder to enforce a rational system of names and descriptions. But we can hardly hope to arrive at the dignity of scientific work in this branch of horticulture either, until we have some definite system of nomenclature. Such a system would also have its obvious value to gardeners and to seed-buyers of every class. The problem is well worth considering.

The only satisfactory rules yet proposed for naming kitchen-garden vegetables are those adopted by the committee on nomenclature in the Association of American Agricultural Colleges and Experiment Stations in 1889. It is a sad record to make, but it is doubtless true, that these rules have not been very generally followed by experiment station officers since their adoption, or at least they have not made a very great impression of improvement on the horticultural world in the matter of naming vegetables. But that is not the fault of the rules. I will copy them here for the benefit of readers who may not have access to them elsewhere :

RULES FOR NAMING VEGETABLES.

1. The name of a variety shall consist of a single word, or at most, of two words. A phrase, descriptive or otherwise, is never allowable, as *Pride of Italy*, *King of Mammoths*, *Earliest of All*.

2. The name should not be superlative or bombastic. In particular, such epithets as *New*, *Large*, *Giant*, *Fine*, *Selected*, *Improved*, and the like, should be omitted. If the grower or dealer has a superior stock of a variety, the fact should be stated in the description immediately after the name, rather than as a part of the name itself, as *Trophy*, selected stock.

3. If a grower has secured a new select strain of a well-known variety, it shall be legitimate for him to use his own name in connection with the established name of the variety, as *Smith's Winningstadt*, *Jones' Cardinal*.

4. When personal names are given to varieties, titles should be omitted, as *Major*, *General*, etc.

5. The term "hybrid" should not be used except in those rare instances in which the variety is known to be of hybrid origin.

6. The originator has the prior right to name a variety, but the oldest name which conforms to these rules should be adopted.

7. This committee reserves the right, in its own publications, to revise objectionable names in conformity with these rules.

These rules are simple enough, and their usefulness is unquestionable. The only comment which it would be worth while to introduce here relates to rules 6 and 7. These involve again the matter of priority, which was discussed more fully in connection with the American Pomological Society's rules for naming fruits. It is plain that, in those frequent cases where one name has been applied to two varieties, or two names to one variety, decision must be made upon the ground of priority. And priority may rest upon publication. And publication will be still more difficult to determine than in the case of fruits. The names and descriptions of most kitchen-garden vegetables appear originally in seedsmen's catalogues. It is hard to think that all the catalogues published every year, some of them very slovenly affairs, are to be considered a part of the permanent literature of horticulture, and that such an important matter as our whole system of nomenclature

ture of garden vegetables must rest upon such a foundation ; but it is still harder to see how we are to avoid such a strait. As a matter of fact, the best horticultural and botanical libraries in this country have been preserving the seed catalogues in recent years, and already we find sundry evidences of their use in some of the most important and dignified of our horticultural publications. Perhaps some of the seedsmen will find it an incentive to the improvement of their publications when they learn that their catalogues are being preserved in the libraries along with Linnæus' *Species Plantarum* and Loudon's *Encyclopedia of Agriculture*.

There has been much discussion of late as to the value of variety testing in the experiment stations, and the tendency has been to disparage the worth of comparative tests of long lists of garden varieties. Without breaking into that debate, it may be pertinent to suggest that, if such tests could result in accurate descriptions of varieties, with careful and exhaustive study of the proprieties of nomenclature in each case, a real and permanent value would be added to them. Some work of this sort has been done already—enough to point the way. Hardly more than that has been accomplished in the nomenclature of fruits. But these beginnings are very interesting, and, considered as suggestions for future work, they are invaluable. I will call attention to some of them in the next chapter.

IV

EXAMPLES OF SCIENTIFIC METHODS.

In the preceding chapters I have called attention to the obvious need of better methods in horticultural nomenclature. We are all hoping for the time when the study of horticulture shall be put upon the same plane with other natural sciences, and we believe that when that time comes we shall make much more rapid and permanent progress. To a very considerable extent, this proper habilitation of horticulture waits for the establishment of an accurate and unequivocal nomenclature. We have at hand a method which, if generally practiced, would secure a rational system of horticultural names; and it was in the hope of promoting, to some small degree, the use of this method, that I have, in preceding articles, transcribed the best known nomenclatural rules and have added a few comments. But the best illustration of what is needed lies in those few publications which have followed carefully the methods set forth. I will refer to two.

Prof. Bailey's second report on Japanese plums (Cornell Bulletin 106, 1896,) gives a first-rate example of the proper method consistently employed in pomology. We find, for instance, one variety introduced in this way:

DOUGLAS (R. H. Price, Bul. 32, Tex. Exp. Sta., p. 488, 1894).

* *Munson*, of Bailey (Cornell Bul. 62, p. 27.)

Hytankayo, of Whitaker.

Hattankio, of some.

This is followed by a partial description, a fuller description having already been given by the same author in the same series of bulletins. The reference in parenthesis in the first line gives credit to Prof. Price, who first used the name Douglas for this variety. It also shows where and when the name was published. The following three lines give the synonymy of the variety. The second line records

the fact that Prof. Bailey called the same variety Munson in his Bulletin 62, p. 27. In this case, the name Munson was given to the variety earlier than the name Douglas; but Prof. Price pointed out that the same name (Munson) had been given earlier to a very different variety. This case illustrates very nicely the working of the rule of priority. The last two lines in the reference quoted show that, according to the author's judgment, the varieties called Hytankayo by Mr. Whitaker and Hattankio by some others, are identical with Douglas.

In the same bulletin the author refers to other varieties in the following terms :

BURBANK (Van Deman, Rept. Dept. Agric. 1891, p. 392).
CHASE (R. G. Chase Co., Catalogue, 1893).

Hattonkin, of some.
Yellow Japan, of some.

GEORGESON (Bailey, Cornell Bulletin 62, p. 23).

Hattonkin No. 1.
Hattonkin, of some.
Hattankio, of some.

NORMAND (J. L. Normand, Catalogue, 1891).

Normand Yellow.
Normand's Japan.

These examples illustrate sufficiently the proper method of citation. It is a method much to be commended. It is obviously desirable in any but the most "popular" experiment station bulletins; it is adapted to the publication of descriptions and names in the reports of horticultural societies, and it is not too complicated to be used by nurserymen in their more elaborate catalogues. I have already called attention to the fact that pomological nomenclature is, to a very great degree, dependent on the nurserymen's catalogues; and it would seem no more than reasonable to hope that the nurserymen, considering the great interest they have in the advancement of pomology, would take as much pains as possible to make their publications at once accurate and useful.

As an example of the best methods of nomenclature carefully applied to the discussion of garden vegetables, I will take the liberty to refer to a "Revision of the Genus Capsicum," by Mr. H. C. Irish, just published in the ninth annual report of the Missouri Botanical Garden. The title of the paper would give one the idea that Mr. Irish was presenting only a botanical monograph of the genus in hand; but besides studying fully the botanical species of Capsicum, he has made a very critical study of the garden varieties of peppers. These are carefully classified, and an analytical key arranged for the determination of unknown varieties after the manner of the manuals of botany. But it is not the key so much as the method of description and of citation to which I would turn attention. Let us take the nomenclatural citations for the variety Bell:

BELL, Burr. Field & Gard. Veg. 617, 1863.

Red Prince, Everitt, Cat. 1887.

Bell or *Bull Nose*, Hend. Gard. for Profit, 264, 1887 (3d ed.).

Sweet Spanish, Bailey, Bul. Mich. Agr. Col. 31, p. 41, 1887.

Bull Nose, Landreth Cat. 1894.

Piment gros carre doux, *Piment cloche*, French.

Here we are given in connection with a full and very useful description of this variety (omitted from this review), the opinion of Mr. Irish, derived from much close study, that Bell is the name properly belonging to it, and also the names which, according to the author's judgment, have been used from time to time for the same variety. Thus we are able to know at a glance, in so far as we have confidence in the author's judgment, the correct name of the variety, all the synonymous names, and where and when they have been used. Perhaps one or two more examples of Mr. Irish's citations will not leave this point over-illustrated. I select the following:

SWEET SPANISH, Burr, Field & Gard. Veg. 625, 1863.

Quince-Pepper, Burr, l. c. 623.

Large Sweet Spanish, Landreth, Cat., 1881.

Spanish Mammoth, Vilmorin-And. Veg. Gard. 153, 1885
(Eng. ed.)

New Sweet Spanish, Henderson, Cat., 1887.

Piment doux d'Espagne, French.

Rother milder spanischer Pfeffer, German.

The position of the name Quince-Pepper as a synonym under Sweet Spanish, indicates Mr. Irish's opinion that Burr, in his *Field and Garden Vegetables*, published in 1863, described the same variety under both names. It does not appear, however, why Mr. Irish gave preference to the name Sweet Spanish. On the face of the evidence here presented the other name ought to have been retained.

The variety Emperor is cited as follows :

EMPEROR, *Giant Emperor*, Thornburn, Cat. 1883.

Bailey, *Bul. Mich. Agr. Col.* 31, p. 40, 1887.

This would indicate that the variety was introduced by Thornburn in 1883, under the name of Giant Emperor, and that no other name for the variety had been published, but that the author took the liberty to revise the name in accordance with rules 2 and 7 of the Association of American Agricultural Colleges and Experiment Stations (see page 13). The propriety of such a revision cannot be disputed.

In some cases Mr. Irish found varieties described in both horticultural and botanical literature. A part of one of these citations is here given to show how the method may be applied in such cases :

BRAZILIAN UPRIGHT, *New Brazilian Sweet Upright*, Thornburn, Cat., 1892.

Piper rotundum majus surrectum. Greg. de Reg. in Clus. Cur. Post. 96-97. f. l. 1611.

Piper Indicum siliquis surrectis rotundis, diff. l. maximum obtusum. Bauhin, *Pinax* 103, 1623, etc., etc.

In this case again the name New Brazilian Sweet Upright was revised to read Brazilian Upright. The botanical references show the author's opinion, as the result of his study, that the variety Brazilian Upright is the same as the one described by the various botanists cited.

This method of referring the name of every horticultural variety to its proper authority, and of giving under it all the synonyms properly arranged and authenticated, is, of course, too elaborate for the

ordinary seed catalogue; but it is the only one which can be fully satisfactory from a scientific point of view, and I suppose no one at this late day has such an ill-feeling toward scientific horticulture as not to hope that we may have some scientific publications on such subjects. Indeed every rational man is glad to see scientific methods applied to our agricultural and horticultural problems, for by such means chiefly are we assured of steady and permanent progress.

PROPERTY RIGHTS IN NAMES.

In a former chapter (page 7) reference was made to the custom in vogue between originators and introducers of horticultural varieties as to the privilege of bestowing names. Sometimes the introducer buys a ready named variety, advertises it and distributes it under the name given by the originator. Oftener, however, the introducer prefers to name the variety himself, and so far as the rights of the case are concerned, it would seem proper for him to hold this privilege. But in order that the right of bestowing a name may thus be a part of the property equity in the variety, the originator should be careful not to confuse horticultural literature by the publication of a name and description for a variety which he plans to sell out to some one for introduction. A convenient way is to carry such unintroducted varieties under their nursery numbers, Johnson's 247, A-46, MC-72, etc., as is done with many of them in Mr. Burbank's admirable *New Creations*. On the other hand, when the originator has definitely published a name with his description, it ought to be understood that the christening is over. The privilege of naming the variety is then no longer for sale. It has been occupied once for all by the originator. The variety with its name, for better or for worse, belongs to the horticultural public, and any agreement between originator and introducer as regards its name is no longer of any effect. This mistake is very common, and therefore the point needs to be emphasized. The nurseryman who introduces a new variety has my full sympathy, and I know how important a catchy name is in making sales. The nurseryman feels that when he invests his money in a high-priced novelty his business interests are superior to any trivial pomological rules. But the public must be protected as well as the nurseryman; and if the latter buys a novelty ready-named, it ought to be clearly understood that the naming privilege is not a

factor in the consideration. The name really belongs to the public; the originator cannot sell it, and the nurseryman ought not to pay for it. As a matter of recent pomological history in this country, it may be well to add that introducers who have endeavored to rename varieties have several times found their labor lost, even in our present loose enforcement of nomenclature rules.

Another point closely related to this is the protection of varieties and of variety names. Several schemes have been devised, among which the copyright trademark deserves special attention. This has been tried by several responsible nursery firms, and doubtless has furnished some practical protection. Most men do not want to have the bother and expense of a legal prosecution, and would rather not run the risk of propagating a trademarked novelty. But some nurserymen have been bold enough to disregard the claims of copyright or trademark owners, and, so far as I have been able to learn after considerable inquiry, no court has ever given a decision against such infringements. A well-known nurseryman, who has tried this method, has lately said in print: "I would not advise Mr. Blank to spend much money in trying to protect the name of any new fruit until a law is made for this special purpose." The editor of the *Country Gentleman*, at my request, has kindly submitted this question to an eminent legal authority, who says; "Copyright only applies to printing, engraving, lithographing and similar methods of reproduction. However, under the United States Statutes, a trade-mark may be registered. In any event, a copyright or trade-mark cannot prevent the sale of the fruit or the trees under another name."

The case seems to stand about like this: A copyright pure and simple cannot be secured. A trade-mark may be registered. This trade-mark may be any sort of a device, including the name chosen for the variety, as "Hobson," "Manila," "Maine." This trade-mark, including the name, may be exclusively used in advertisements, descriptions, etc. It may also be stamped upon a seal and attached to the plants, and thus furnish a guaranty to the buyer that they are

the genuine stock. Further than this the introducer may require each purchaser to sign an agreement not to propagate or sell any plants, roots or scions of the variety ; but this agreement has no connection with the trade-mark and is quite as binding without the latter. There can be no doubt that a variety advertised under a copyright or a trade-mark may be propagated and sold under another name without liability. Further than that, it seems highly probable that such a trade-marked variety could be sold under the trade-mark name, but without the actual seal bearing the registered device, and that injunction proceedings would not lie against parties making such sales. Of course a particular court at a particular time might hold a contrary opinion, but it seems quite unlikely. In conclusion I wish to acknowledge the kindness of Mr. H. W. Collingwood, who has lent his aid in looking this question up, and who seems to have, in general, the opinion here given.

VI

HINTS ON NAMING.

I have always felt sorry for Adam, not so much that he missed the advantages of a dress suit and the protective tariff as to think what a hard time he must have had in naming all the plants and animals which the good Creator sent him. I have seen a trained botanist worry and fuss for a week trying to find the name for one little undersized plant; and when I remember how my great-great-grand-parent Adam, who, unfortunately, had never been to college, was obliged to go through the whole garden and the menagerie and the museum and the fish ponds and name every living creature in one day, why I can't suppress a throb of sympathy for him. This naming business is hard work at the best, especially to us, when other people have worked over the field for a hundred years or so.

The selection of a felicitous name for a new variety seems to be a matter of peculiar difficulty. Only a small minority of the names actually given are to be regarded as happy and appropriate. I suppose it is not altogether for advertising purposes that some seedsmen adopt the method of offering large prizes for names of new vegetables or flowers. I have noticed with interest the clause in the announcements of such competitions providing that names which fail of prizes shall nevertheless become the property of the company, and may be used for other varieties. It shows that a good name is rather to be chosen than riches,—that is, has a definite cash value. Let not the man with a new baby or fruit or vegetable enter lightly upon the duty of providing a name to last the young individual all its life.

On the other hand it strikes me that many men feel too much the importance of a name in sending out a new variety. A name is merely a handle by which we may pass a fruit or a vegetable around the horticultural table. It is only a convenience, a label, a designa-

tion. It is not a description, still less an advertisement. When a man tries to make a name legitimate according to rule, new, short, crisp, appropriate, euphonious, and then tries to crowd the description and the advertisement into the same word, he has undertaken a hard job. He would better put the advertisement in large type at the head of the page, and the description in small type after the adopted name. It is nice to have a name suggestive of some striking quality in the variety if that can be done without sacrifice, but the temptation to use the name for advertising purposes has been yielded to too often for the good of the horticultural public. And I believe that those most guilty of this abuse have made very little by it. Let us remember, then, that a name is merely an arbitrary sign for a variety, and that the only absolute requirements are that it shall be manageable and unequivocal.

The name of the originator, discoverer or introducer of a plant is always an appropriate name. I will not even except Maximowicz. Many of our finest fruits have been named in this way to the permanent satisfaction of everybody. There are the Hale peach, Kieffer pear, Gano apple, Barry grape, Kelsey plum, and dozens of others. The propriety of such names is widely recognized among botanists, as we may see by looking over *Prunus besseyi*, *Lilium henryi*, and *Spiranthes romanzoffiana*. Among vegetables we see such names much more seldom. The man who originates a new tomato is not content to call it Jones, but names it instead Jones' Prodigious Rosy Red. The former is the better name, however. This method of selecting names, when properly followed, has a wide range of usefulness.

The name of a place where a variety originates is always proper and nearly always satisfactory. We may cite Arkansas, Ontario and Bethel among apples; Vergennes among grapes; Kansas, raspberry; Iowa, plum; Kalamazoo, celery. A man who is in doubt what to name a new fruit or vegetable should consider carefully the advisability of calling it after his own town or county or state. Such names are to be recommended. They are too seldom given.

Other personal and local names, while not having the obvious propriety of those already mentioned, are often quite neat and acceptable. There are the Jessie strawberry, Lone star plum, Jonathan apple, Green Mountain grape, and Louise pear. When one is hard pressed for a name, a nearby mountain range or a river or the eldest daughter's first name may be called into requisition.

Names constructed from descriptive adjectives have a strong attraction for most horticulturists. Their appropriateness cannot be gainsaid; only when one starts to make a selection on this line he must remember that he is choosing a name and not writing a description. The name is far the more important, and the aptness of the adjective must not interfere with the necessities of nomenclature. It is in this class of names that abuse is most common, and caution may therefore be the more strenuously recommended. The rules for naming vegetables (page 13) say that "the name should not be superlative or bombastic." Examples of good names of this sort are the following; Golden Wax Bean, Cosmopolitan Musk Melon, Perfection Tomato, Limbertwig Apple, Transparent Plum. But anyone looking over this matter will find that really good names of this class are much more scarce than might be expected. On the whole the descriptive adjective is not a brilliant success as a name.

One word is a great deal better than two in making up a name. Two words ought not to be used unless there is some very good reason for it. Three words are never admissible.

The use of Latin names in horticultural nomenclature is almost never good taste. There is sometimes shown a tendency in this direction, but fortunately it has not been serious in this country. Examples of this sort of thing carried to excess may be cited from foreign catalogues. For instance, I find *Polygonum orientale pumilum album*, *Begonia semperflorens atropurpurea compacta*, and *Chrysanthemum carinatum atrococcineum foliis aureis*.

A word needs to be said by the way of caution in the matter of naming hybrids. It is a common, and not altogether bad, practice

to construct the name of a hybrid from pieces of the name borne by its parents. Thus we have Mr. Williams' Bursoto plum, a hybrid of Burbank and Desoto; Mr. Kerr's Elriv peach, a cross of Elberta and Rivers; and Mr. Munson's Elvicand grape, a hybrid of Elvira with *Vitis candicans*. This method of manufacturing a name sometimes gives happy results, and in such cases no one can object. But if carried to excess some very abominable crazy-patchwork may be made. A cross between Catwaba and Delaware could not agreeably be called Catware. Neither could a cross of Hortense and Montmorency appropriately be named Hortmorency. And if one had a combination of four, five or six parents, such as Mr. Burbank has accomplished in some of the plums he has been sending me, the results of this method would be very absurd. Even with *Prunus triflora*, *P. angustifolia*, *P. americana* and *P. cerasifera* combined the name Trigustcanfera would hardly ring like good coin. This method, like all the others, is to be used with caution; and the chief caution is to remember that a name is a handle for the variety, and not a record of its pedigree or a proclamation of its virtues. A name should be a public convenience, not a word puzzle.

